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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

RAMONA ROBINSON,

Defendant and Appellant.

D037881

(Super. Ct. No. SCE192670)

APPEAL from a judgment of the Superior Court of San Diego County, Herbert J. Exarhos, Judge. Affirmed.

In December 1998, Ramona Robinson entered a negotiated guilty plea to residential burglary. (Pen. Code, §§ 459, 460.) The court suspended imposition of sentence and placed her on three years' probation including a condition she obey all laws and not use a controlled substance. On January 29, 2001, Robinson admitted violating conditions of probation by failing to obey all laws and testing positive for the presence of

a controlled substance. The court revoked probation and sentenced her to the four-year middle term for residential burglary.

## DISCUSSION

Appointed appellate counsel has filed a brief setting forth the evidence in the superior court. Counsel presents no argument for reversal but asks this court to review the record for error as mandated by *People v. Wende* (1979) 25 Cal.3d 436. Pursuant to *Anders v. California* (1967) 386 U.S. 738, counsel refers to as a possible but not arguable issue whether the trial court abused its discretion in imposing a four-year prison term instead of reinstating probation.<sup>1</sup>

We granted Robinson permission to file a brief on her own behalf. She has not responded. A review of the entire record pursuant to *People v. Wende, supra*, 25 Cal.3d 436, including the possible issue referred to pursuant to *Anders v. California, supra*, 386 U.S. 738, has disclosed no reasonably arguable appellate issue. Competent counsel has represented Robinson on this appeal.

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<sup>1</sup> Because Robinson entered a guilty plea, he cannot challenge the facts underlying the conviction. (Pen. Code, § 1237.5; *People v. Martin* (1973) 9 Cal.3d 687, 693; *People v. Jackson* (1985) 37 Cal.3d 826, 836, overruled on other grounds as recognized in *People v. Burton* (1989) 48 Cal.3d 843, 863.) We need not recite the facts.

DISPOSITION

Judgment affirmed.

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O'ROURKE, J.

WE CONCUR:

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KREMER, P. J.

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HUFFMAN, J.